

9.200
Docket No. 1855/96
DAe

U.S. PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER : 819,305
PATENT NUMBER : 5,360,897
FILING DATE : 07/18/1992
ISSUE DATE : November 1, 1994
INVENTION TITLE : IMMUNOGENIC CONJUGATES OF
STREPTOCOCCUS PNEUMONIAL CAPSULAR
POLYMER AND TOXIN OR IN TOXOID
INVENTOR(S) : Porter W. Anderson and Ronald J. Eby



#16

RECEIVED

MAY 23 2000

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Assistant Commissioner for Patents
Box Patent Extension
Washington, DC 20231

**ADDITIONAL INFORMATION FOR APPLICATION
FOR EXTENSION OF PATENT TERM UNDER 35 U.S.C. 156**

This is in response to a requirement for information mailed on May 1, 2000. The response is due on or before July 1, 2000. Specifically, the request for information stated that the Applicant must provide documentary evidence of the complete chain of title from the inventors, Porter W. Anderson and Ronald J. Eby, to The University of Rochester. Further, the request stated the document can be a reference to the reel and frame number of the recorded assignment or copies of the relevant assignment documents.

Accordingly, attached herewith are copies of the following assignments:

- 1) Assignment from Porter W. Anderson and Ronald J. Eby to Praxis Biologics, Inc., recorded on December 23, 1986 at Reel 4658, Frame 682.
- 2) Assignment from Praxis Biologics, Inc. to The University of Rochester, recorded on April 17, 1989 at Reel 5108, Frame 81.

Applicants submit that this above information satisfies the request for information concerning the complete chain of title from the inventors to The University of Rochester.

Applicants would also like to clarify that the commercial product is correctly named "Prevnar™" and not Prevnair™, as identified in the letter from Karin Tyson, Senior Legal Advisor, Office of Patent Legal Administration, U.S.P.T.O., to David Read, Acting Director Regulatory Policy Staff, CDER, Food and Drug Administration.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Kenyon & Kenyon deposit account No. 11-0600.

Respectfully submitted,

Date: May 18, 2000


Estelle J. Tsevdos
Reg. No. 31,145

Kenyon & Kenyon
One Broadway
New York, New York 10004
Tel: (212) 425-7200
Fax: (212) 425-5288

Form PO-140
Approved by
Commissioner of Patents,
U.S. Patent Office, November 1950

U.S. DEPARTMENT OF COMMERCE
PATENT OFFICE

DEC 23 DEPOSIT ACCOUNT ORDER FORM

MAIL TO: Commissioner of Patents,
Washington, D. C. 20231

Date
December 23, 1986

Account No.: 16-1150

Order No.
3117-031

Name and Address of Depositor:

PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, N. Y. 10036

DESCRIPTION OF ARTICLES OR SERVICES TO BE FURNISHED

Re: Porter W. Anderson and Ronald John Eby, For: IMMUNOGENIC CONJUGATES

Serial No. 853,975, Filed: May 5, 1986

Attached please find an executed Assignment of the above-

identified application and the invention disclosed therein from

Porter W. Anderson and Ronald John Eby to Praxis Biologics, Inc.

Said Assignment was executed on December 10, 1986. We request that
the Assignment be recorded in the U.S. Patent and Trademark Office.

Please charge the required fee to our Deposit Account No. 16-1150;

A duplicate of this form is attached for accounting purposes.

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited
in the United States Postal Service as first class mail in an
envelope addressed to: Commissioner of Patents and
Trademarks, Washington, D.C. 20231 on 12-23-86

16-1150 030 518 7.00CH

(Date of Deposit)
29/202

91283549

If additional space is needed attach separate sheet.

18,872

12-23-86

(Reg. No.)
S. Leslie Misrock

29,258
Registration No.

THIS FORM MAY BE REPRODUCED WITHOUT PERMISSION OF THE PATENT OFFICE.

(Date of Signature)

FOR PROMPT, ACCURATE SHIPMENT PLEASE COMPLETE THE FOLLOWING MAILING LABEL - PLEASE PRINT OR TYPEWRITE

U.S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON, D.C. 20231
OFFICIAL BUSINESS

RETURN AFTER FIVE DAYS

Name _____

PENNIE & EDMONDS

YOUR ORDER NO.

Street Address 1155 AVENUE OF THE AMERICAS

3117-031

City, State, Zip Code NEW YORK, N. Y. 10036

ASSIGNMENT

3117-031
WHEREAS, WE, PORTER W. ANDERSON and RONALD JOHN EBY

.ASSIGNEES

citizens of the United States, residing at 40 Alpine St., Rochester, New York 14620 and 297 West Squire Drive #3, Rochester, New York 14623 are the inventors of the invention in Immunogenic Conjugates

for which we have filed an

application for a Patent of the United States, on May 5, 1986

Serial No. 859,975:

and WHEREAS, PRAXIS BIOLOGICS, INC., a corporation organized and existing under the laws of the State of New York and located at 30 Corporate Woods, Rochester, New York 14623 .ASSIGNEE:

is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNEES, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all Applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

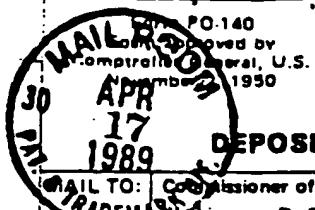
Date 19 PATENT & TRADEMARK OFFICE
Date 19 REC'D.
State of L.S.
County of SS.
Porter W. Anderson
Ronald John Eby DEC 23 1986

On this day of 19 before me, a Notary Public in and for the State and County aforesaid, personally appeared Porter W. Anderson to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

State of L.S.
County of SS.
LINDA A. HECERLE Notary Public.
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires March 30, 1987

On this day of 19 before me, a Notary Public in and for the State and County aforesaid, personally appeared Ronald John Eby to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

LINDA A. HECERLE Notary Public.
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires March 30, 1987



U.S. DEPARTMENT OF COMMERCE

PATENT OFFICE

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DEPOSIT ACCOUNT ORDER FORM

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Date April 14, 1989

1983 150-20 2110-16

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MAIL TO:

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A S S I G N M E N T

WHEREAS, PRAXIS BIOLOGICS, INC., (hereinafter called "ASSIGNOR"), a corporation organized and existing under the laws of the State of New York and having its principal place of business at 30 Corporate Woods, Suite 300, Rochester, New York 14623, is the owner of the entire right, title and interest in, to and under the invention in IMMUNOGENIC CONJUGATES for which United States Patent Application Serial No. 859,975 was filed on May 5, 1986,

WHEREAS, THE UNIVERSITY OF ROCHESTER, (hereinafter called "ASSIGNEE") an educational institution charted by the State of New York and located at Rochester, New York 14627, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR, has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States Application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

ASSIGNOR authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

1865100150081

AND ASSIGNOR HEREBY covenants and agrees that it has full right to convey the entire interest herein assigned, and that it has not executed, and will not execute, any agreement in conflict herewith;

AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, ASSIGNOR has caused this Assignment to be executed by its duly authorized officer this 10th day of April, 1989.

PRAXIS BIOLOGICS, INC.

ATTEST: Karen M. Cagnina By: Du...de L.S.
Title Vice - President

State of New York
County of Monroe
ss.:

On this 30th day of March, 1989 before me, a Notary Public in and for the State and County aforesaid, personally appeared Thomas M. Walker, to me known and known to me to be the person of that name, who being duly sworn did depose and say that he is Vice President of Praxis Biologics, Inc. and that he signed the foregoing instrument by authority of the Board of Directors of said corporation.

RECORDED
PATENT & TRADEMARK OFFICE
APR 17 1989


COMMISSIONER OF PATENTS
AND TRADEMARKS OFFICE


Karen M. Cagnina
Notary Public

KAREN M. CAGNINA
Notary Public, State of New York
Qualified in Monroe County
Commission Expires April 18, 1990